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\*E-FILED - 1/21/09\*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

11 || UNITED STATES OF AMERICA,

CASE NO. CR-07-00251 RMW

12 Plaintiff,

**STIPULATION FOR CONTINUANCE  
OF HEARING DATE AND []  
ORDER THEREON**

1005-06

14 || JOSE BUNILLA,

Defendant.

17       ITS IS HEREBY STIPULATED, by and between THOMAS M. O'CONNELL,  
18 ESQ., attorney for the UNITED STATES OF AMERICA, and ROBERT E. CAREY,  
19 JR., counsel for Defendant JOSE BONILLA, that the hearing which is currently  
20 set for January 12, 2009, be vacated and that the matter be set before the  
21 Court on February 2, 2009, at 9:00 am, for hearing on Defendant's motion to  
22 withdraw the previously entered plea of guilty and for a status conference.

23 IT IS SO STIPULATED.

25 || DATED: January 8, 2009

CAREY & CAREY

/s/  
ROBERT E. CAREY, JR. Attorneys for  
Defendant JOSE BONILLA

DATED: 1/8, 2009

UNITED STATES OF AMERICA

/s/  
THOMAS M. O'CONNELL,  
Assistant U.S. Attorney

ORDER

GOOD CAUSE APPEARING THEREFORE, it is hereby ordered, adjudged, and decreed, that the hearing presently set for January 12, 2009, at 9:00 am, be vacated, and that the matter be set for a status conference and for the hearing of Defendant BONILLA'S motion to withdraw the previously entered plea of guilty on February 2, 2008, at 9:00 am.

DATED: 1/21, 2009

  
HON. RONALD M. WHYTE  
U.S. DISTRICT COURT JUDGE